

PS

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ROBERTO MARROQUIN-LIMA,

Petitioner,

v.

25-CV-6090-EAW
ORDER

JOSEPH E. FREDEN, in his official
capacity as ICE Deputy Field Office
Director,

Respondent.

Petitioner, Roberto Marroquin-Lima, is a civil immigration detainee currently held at the Buffalo Federal Detention Facility. Petitioner claims that he is being detained in United States Immigration and Customs Enforcement custody pending removal proceedings in violation of the United States Constitution. Therefore, Petitioner seeks relief under 28 U.S.C. § 2241. (Dkt. 1). Petitioner has paid the \$5.00 filing fee. Petitioner has counsel.

ORDER

IT IS HEREBY ORDERED that within **45 days** of the date of this Order, Respondent shall file and serve an **answer** responding to the allegations in the Petition; and it is further

ORDERED that within **45 days** of the date of this Order, Respondent shall file and serve, in addition to the answer, a **memorandum of law** addressing each of the issues raised in the Petition and including citations to supporting authority and applicable sections of the Immigration and Nationality Act; and it is further

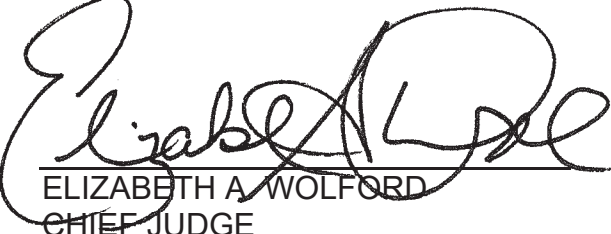
ORDERED that within **45 days** of the date of this Order, instead of an answer, Respondent may file a **motion to dismiss** the Petition, accompanied by appropriate exhibits demonstrating that an answer to the Petition is unnecessary; and it is further

ORDERED that Petitioner shall have **25 days** after service of the answer or motion to dismiss to file a **written response**; and it is further

ORDERED that the Clerk of Court shall serve a copy of the Petition, together with a copy of this Order, electronically via a Notice of Electronic Filing to the United States Attorney's Office, Western District of New York at USANYW-Immigration-Habeas@usdoj.gov.

SO ORDERED.

Dated: February 21, 2025
Rochester, New York



ELIZABETH A. WOLFORD
CHIEF JUDGE
UNITED STATES DISTRICT COURT